

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CYRUS R. SANDERS,

Plaintiffs

v.

DOMINICK L. DEROSE, et al.,

Defendants

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CIVIL NO. 1:14-CV-00288

(Judge Kane)

ORDER

NOW, THEREFORE, THIS 30th DAY OF SEPTEMBER, 2015, upon consideration of Defendants' Motion to Dismiss (Doc. No. 20) and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1) The Motion to Dismiss is **GRANTED** as follows:

a) Plaintiffs' claim of retaliation due to the filing of a misconduct report on June 13, 2012 is **DISMISSED** with prejudice.

b) Plaintiff's claim of retaliation based on the Defendant Rose's threatening remarks is **DISMISSED** with prejudice.

c) All other claims in the complaint are **DISMISSED** without prejudice

2) Plaintiff may, if he so chooses, file an amended complaint within thirty (30) days of the date of this order.

S/ Yvette Kane

YVETTE KANE
United States District Judge
United States District Court
Middle District of Pennsylvania